

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA**

United States of America,

vs.

Shannon James Kepler,

Plaintiff,

Defendant.

Case No.: 20-cr-276-GKF

Proceeding: Jury Trial

Date: 4/19/2021 – 4/26/2021

Total Time: 28 hours 23 minutes

MINUTE SHEET - CRIMINAL TRIAL

Gregory K. Frizzell, U.S. District Judge

K. Perkins, Deputy Clerk

Brian Neil, Reporter

Counsel for Plaintiff: Ross Lenhardt, Sean Taylor Counsel for Defendant: Stan Monroe Appt.

Case Agent: Tara Wade, FBI Agent

Appears in Person: Pltf. Deft. Parties announce ready Jury impaneled & admonishedOpening Statement: Pltf. Deft. Rule is invoked Deft. defers until close of Pltf. Case
 Plaintiff presents case in chief with testimony of witnesses Plaintiff restsExhibits admitted: Pltf. Deft.Motion for: Pltf. Deft. Judgment of Acquittal granted denied4/22 - 23/2021: Defendant presents case in chief with testimony of witnesses Defendant restsRenew Motion for: Pltf. Deft. Judgment of Acquittal granted denied4/26/2021: Court instructs Jury Closing Arguments CSO sworn Jury deliberatesJury returns: verdict hung verdict is polled is dischargedJury finds Deft.: Guilty, as to Cts, 2 and 3
 Not Guilty, as to Ct. 1 Case referred to Probation Office for Presentence Investigation Report (Ashlyn Lollman)Sentencing set for: 8/11/2021 at 1:30 p.m.Defendant: stand on present bond remanded to USM Exhibits returned to Parties Ordered that Jury lunch paid for at Government expense on:4/20 – 4/26/2021

Court Time:

4/19/21:	4/20/21:	4/21/21:	4/22/21:	4/23/2021:	4/26/2021:
jury selection	9:32 – 11:10	9:02 – 10:51	9:03 – 10:45	9:00 – 10:27	9:00 – 11:03
2:02 – 3:42	11:29 – 12:28	11:11 – 12:22	11:05 – 12:45	10:54 – 12:08	Deliberation began
4:01 – 5:29	1:31 – 3:17	1:28 – 3:13	1:47 – 2:52	1:12 – 2:55	3:30 – 3:32
	3:33 – 4:57	3:32 – 4:59	3:12 – 4:13	Informal Inst Conf: 3:36 – 4:25	6:07 – 6:30
				Formal Inst Conf: 6:29 – 6:36	

Minute Sheet - Criminal Trial, Case No. 20-cr-276-GKF (continued)

Additional Minutes:

4/19/2021: Jury selection began and the jury was impaneled. Remaining prospective jurors thanked and released. Reconvene on 4/20/21 at 9:00 a.m.

4/20/2021: Opening statements made and Plaintiff presented case in chief. Trial to reconvene on 4/21/2021 at 9:00 a.m.

4/21/2021: Plaintiff resumed presenting case in chief. Trial to reconvene on 4/22/2021 at 9:00 a.m.

4/22/2021: Plaintiff resumed presenting case in chief. Agreed redacted Grand Jury testimony of Lisa Kepler was read into the record for the jury. Plaintiff rested. Outside presence of the jury, defendant's motion for judgment of acquittal was heard and denied. Defendant presented case in chief. Trial to reconvene on 4/23/2021 at 9:00 a.m.

4/23/2021: Defendant resumed presenting case in chief and rested. Outside presence of the jury, defendant's renewed motion for judgment of acquittal was heard and denied. Closing arguments will be 30/45/15. Jury was brought in and excused to return on Monday, 4/26/2021 at 9:00 a.m. Informal and formal jury instruction conference was held; objections stated for the record.

4/26/2021: Outside the presence of the jury, court stated further ruling on instructions. Counsel waived the reporting of jury instructions. Jury was present and instruction; closing arguments were made. At 3:05 pm, question received from jury and counsel had no objection to the court's response (Court Exhibit 2). Verdict was reached and published to the jury; defense counsel requested polling of the jury. Defendant agrees to the forfeiture allegation being determined by the court.